

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Case No. _____

(to be filled in by the Clerk's Office)

Kevin Pacheco

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Commonwealth of Massachusetts
(New Bedford District Court)
State of Rhode Island
(Providence Superior Court)

Continued on sheet Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

to stop proceeding until the Federal Court Verdict

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Kevin Pacheco

Street Address

209 Richard St

City and County

South Dartmouth, Bristol County

State and Zip Code

MA, 02748

Telephone Number

508 9941427

E-mail Address

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Maura Healey
Massachusetts Attorney General
One Ashburton Place
Boston
MA 02108
617-727-2200

Defendant No. 2

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Peter K. Martin
Rhode Island Attorney General
150 South Main St
Providence
RI 02903
401-274-4400

Defendant No. 3

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 4

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

"Fair trial"
"Right to Self Representation"
Sixth Amendment "Speedy Trial" and The American with Disabilities Act.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the
State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

In New Bedford District Court and Providence Superior Court,
Fall River Superior Court case # BR CR 2014-0400
"Bristol"
New Bedford case # 1433 CR 75
Providence case # P22-2014-1886A

B. What date and approximate time did the events giving rise to your claim(s) occur?

New Bedford District Court 2/14 to ~~12/16~~ present
Providence Superior Court 6/14 to ~~12/16~~ present
Fall River Superior Court 5/14 to present

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C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

- Trial has been postponed past Federal and State Standards
- Refusal to accommodate defendants disability ^{which} effects self-representation.
- + poor public court record
- over 20 judges between MA and RE, Hence instead of individual claims I believe the attorney general should represent the judicial

← (continued on sheet) system in their states. - RE has completely ignored the filing of my motions

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

- Loss of freedom ^{3yrs} due to the inability to put on a defense because of the prejudice caused by postponing the trial
- mental anguish by not accommodating my disability (Agoraphobia) the deterioration of health
- inability to provide a defense so I won't be convicted

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

- Injunction - Stop the proceedings until a verdict in federal court
- Dismiss the cases for speedy trial, inability to defend oneself adequately
- Inability to receive a fair trial
- Compensation for the mental anguish ^{loss of freedom} suffered while forced to be in public in an anxiety ridden situation. Defendant ask for ~~XXXXXX~~ whatever the jury see's fit to award

- need injunction prior to ~~2/15/17~~ 4/26/17
- If the case is not dismissed in RE and MA hold the trial in Federal Court for "fair trial"
- remove restrictions to defend myself (gps home confinement, and others)

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/25/16

Signature of Plaintiff

Printed Name of Plaintiff

K. Pacheco

Kevin Pacheco

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Defendant

Commonwealth of Massachusetts
(Fall River Superior Court)

III C inability to provide "fair trial" RI
The case involves Roger William School of Law
The entire legal community has a conflict of
interest and should recuse themselves from
the case.
~~Also~~ Also each court is stopping me from
subpoena evidence and take depositions
in my defense "Right to self representation"
"Fair Trial"

Refusal to give transcripts of pre-trial
hearings